

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

<b>ANDRE BOYER, et al.,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>No. 23-cv-2885</b>
	:	
<b>CITY OF PHILADELPHIA, et al.</b>	:	
	:	
<b>Defendants.</b>	:	

---

**PROPOSED ORDER**

AND NOW, this \_\_\_\_\_ day of December 2023, upon consideration of the Unopposed Motion for Leave to File Excess Pages filed by the City of Philadelphia, Glaviano, Wallace, Poulos, Long, O’Shaughnessy, Bilal, Newsome, and O’Leary (the “City Defendants”), it is hereby ORDERED that the City Defendants’ Motion is GRANTED. The City Defendants may file a brief in support of their motion to dismiss that does not exceed thirty-five (35) pages, excluding cover sheets and certificates.

BY THE COURT:

\_\_\_\_\_  
J.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

<b>ANDRE BOYER, et al.,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>No. 23-cv-2885</b>
	:	
<b>CITY OF PHILADELPHIA, et al.</b>	:	
	:	
<b>Defendants.</b>	:	

---

**UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES**

NOW COMES Defendants the City of Philadelphia, Glaviano, Wallace, Poulos, Long, O’Shaughnessy, Bilal, Newsome, and O’Leary (“City Defendants”), and files the following Motion for Leave to File Excess Pages, in support thereof averring as follows:

1. This action was commenced by Plaintiffs with the filing of a Complaint on July 27, 2023. (ECF No. 1.)
2. On October 19, 2023, Plaintiffs filed a Second Amended Complaint. (ECF No. 18.) Defendants are required to move to dismiss or otherwise answer the Second Amended Complaint on or before December 18, 2023. (ECF No. 25.)
3. Plaintiffs’ Second Amended Complaint is 53 pages long in addition to an additional 85 pages of exhibits. Further, Plaintiffs’ Second Amended Complaint includes 14 separate counts, many of which rest on multiple legal theories. Plaintiffs also seek both monetary and equitable relief.
4. The City Defendants intend to file a motion to dismiss, seeking the dismissal of each count pled against them in the Amended Complaint. Contemporaneously therewith, Defendants will be filing a brief in support of their motion to dismiss.

5. Due to the length and complexity of the factual allegations and legal theories set forth in the Second Amended Complaint and the various defenses applicable to the claims, the City Defendants are unable to adequately address each of the grounds for their dismissal within this Honorable Court's 25-page limit governing briefs in support of dispositive motions.

6. Accordingly, the undersigned counsel respectfully requests that the Court grant a 10-page extension of the 25-page limit and accept a brief of no more than 28 pages.

7. The undersigned counsel has conferred with counsel for Plaintiffs, who has indicated that he has no opposition to the City Defendants' request.<sup>1</sup>

WHEREFORE, the City Defendants respectfully ask that their motion for leave to file excess pages be GRANTED.

Dated: December 11, 2023

Respectfully submitted,

/s/ Danielle B. Rosenthal  
DANIELLE B. ROSENTHAL  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102-1595  
(215) 683-5448 (phone)  
(215) 683-5397 (fax)  
*danielle.rosenthal@phila.gov*

---

<sup>1</sup> The undersigned counsel indicated to counsel for Plaintiffs that the City Defendants would have no opposition should Plaintiffs' counsel similarly request that his clients be granted an additional ten pages in replying to the City Defendants' forthcoming motion.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

<b>ANDRE BOYER, et al.,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>No. 23-cv-2885</b>
	:	
<b>CITY OF PHILADELPHIA, et al.</b>	:	
	:	
<b>Defendants.</b>	:	

---

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Unopposed Motion for Leave to File Excess Pages was served on this date on all interested counsel by way of electronic filing with the Court.

Respectfully submitted:

Dated: December 11, 2023

/s/ Danielle B. Rosenthal  
DANIELLE B. ROSENTHAL  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102-1595  
(215) 683-5448 (phone)  
(215) 683-5397 (fax)  
*danielle.rosenthal@phila.gov*